

**PATENT**


**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant: Ellen R. Jackson                      Examiner: to be assigned  
Serial No. to be assigned                      Group Art Unit: to be assigned  
Filed: August 19, 2003                      Docket No. 53221-011300  
Title: COSMETIC PACKAGING DEVICE

**CERTIFICATE OF MAILING UNDER 37 CFR 1.8**

Date of Mailing: August 19, 2003

I hereby certify that this correspondence and identified enclosures are being deposited with the United States Postal Service, first class mail, postage prepaid, under 37 CFR 1.8 on the date indicated, and addressed to MAIL STOP: PATENT APPLICATION, Commissioner for Patents, Post Office Box 1450, Alexandria, Virginia 22313-1450.

  
Name: Kelly Simpson

**INFORMATION DISCLOSURE STATEMENT [37 C.F.R. § 1.56]**

MAIL STOP: PATENT APPLICATION

Commissioner for Patents

Post Office Box 1450

Alexandria, Virginia 22313-1450

Sir/Madam:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, applicant brings the references listed on the attached Form PTO-1449 to the examiner's attention. 37 C.F.R. § 1.56. Do not construe the filing of this information disclosure statement as a representation that applicant has made a search (37 C.F.R. § 1.97(g)), or as an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists. We enclose copies of any cited foreign documents. Copies of the U.S. references are not enclosed.

This Information Disclosure Statement is being submitted:

- ☒ 1. Within three months of the filing date of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d), or within three months of the date of entry of the national stage as set forth in 37 C.F.R. § 1.491 in an international application; or before the mailing date of a first Office action on the merits, and therefore, Applicant believes no fee is required;

- ☐ 2. After the period specified in paragraph (1) above of this section, but before the mailing date of either a final action under 37 C.F.R. § 1.113, or a notice of allowance under 37 C.F.R. § 1.311, whichever occurs first, and is accompanied by either:
- ☐ a. A statement that:
- (i) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months before the filing of the information disclosure statement; or
  - (ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months before the filing of the information disclosure statement;
- ☐ b. The fee for filing an Information Disclosure Statement under 37 C.F.R. § 1.17(p) is \$180.00.
- ☐ 3. After the period specified in paragraph (2) of this section, but on or before payment of the issue fee and is accompanied by:
- ☐ a. A statement that:
- (i) Each item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months before the filing of the information disclosure statement; or

(ii) No item of information contained in the information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application, and, to the knowledge of the person signing the statement after making reasonable inquiry, no item of information contained in the information disclosure statement was known to any individual designated in 37 C.F.R. § 1.56(c) more than three months before the filing of the information disclosure statement;

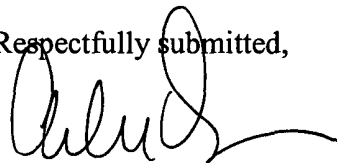
- ☐ b. A petition requesting consideration of the information disclosure statement; and
- ☐ c. The petition fee set forth in 37 C.F.R. § 1.17(i).

Applicant would appreciate the examiner initialing and signing a copy of attached Form PTO-1449 indicating that he or she considered the information and made the information of record.

If the transmittal letter is separated from this document and the PTO determines that an extension or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 50-2638.

Authorization is hereby given to charge any fees due, or credit any overpayment of fees, to Deposit Account No. 50-2638.

Respectfully submitted,



Charles Berman  
Reg. No. 29,249

Date: August 19, 2003

Customer Number 33717  
GREENBERG TRAURIG, LLP  
2450 Colorado Avenue, Suite 400E  
Santa Monica, CA 90404  
Phone: (310) 586-7770  
Fax: (310) 586-0271  
E-mail: [bermanc@gtlaw.com](mailto:bermanc@gtlaw.com)  
\\LA-SRV01\196274v01



FORM PTO-1449	Attorney Docket Number	53221-011300
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (use as many sheets as necessary)	Application Number	not yet assigned
	Filing Date	August 19, 2003
	Applicant(s)	Ellen R. Jackson
	Group Art Unit	not yet assigned
	Examiner Name	not yet assigned

U.S. PATENT DOCUMENTS						
EXAMINER INITIALS	DOCUMENT NUMBER	ISSUE DATE	PATENTEE	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	D 91,003	11/07/1933	Younghusband			
	D 91,835	03/27/1934	Martin			
	D 145,811	10/22/1946	Linduska			
	D 163,569	06/12/1951	Christy			
	D 210,055	01/30/1968	Walker			
	659,802	10/16/1900	Rohlf			
	2,234,739	03/11/1941	Murrell			
	3,718,260	02/27/1973	Sharp			
	4,221,060	09/09/1980	Moskowitz et al.			
	5,067,618	11/26/1991	Johnson			
	5,246,020	09/21/1993	Wu			
	5,433,643	07/18/1995	Pratt			
	5,897,416	04/27/1999	Barrows			
	6,059,122	05/09/2000	Cartmell			

FOREIGN PATENT DOCUMENTS							
EXAMINER INITIALS	DOCUMENT NUMBER	PUBLICATION DATE	COUNTRY OR PATENT OFFICE	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS	
EXAMINER INITIALS	Include name of the author (in CAPITAL LETTERS), title of the article, title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.

EXAMINER SIGNATURE	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.	

Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE  
/sfc 1449-new